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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 JAY RABKIN, Individually and on Behalf
12 of All Others Similarly Situated,

13 Plaintiff,

14 v.

15 LION BIOTECHNOLOGIES, INC.,
16 MANISH SINGH, MICHAEL
HANDELMAN, and KAMILLA BJORLIN,

17 Defendants.
18

Case No. 3:17-cv-02086-SI

CLASS ACTION

19 **ORDER APPROVING PLAN OF ALLOCATION**

20 WHEREAS, this matter came on for hearing on April 12, 2019 (the “Settlement Fairness
21 Hearing”) on Lead Plaintiff’s motion to determine whether the proposed plan of allocation of the Net
22 Settlement Fund (“Plan of Allocation”) created by the Settlement achieved in the above-captioned
23 class action (the “Action”) should be approved. The Court having considered all matters submitted
24 to it at the Settlement Fairness Hearing and otherwise; and it appearing that notice of the Settlement
25 Fairness Hearing substantially in the form approved by the Court was mailed to all Settlement Class
26 Members who could be identified with reasonable effort, and that a summary notice of the hearing
27 substantially in the form approved by the Court was published in *Investor’s Business Daily* and
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transmitted over the *PRNewswire* pursuant to the specifications of the Court; and the Court having considered and determined the fairness and reasonableness of the proposed Plan of Allocation; and

WHEREAS, this Order incorporates by reference the definitions in the Stipulation of Settlement and Release dated as of September 28, 2018 (ECF No. 121) (the “Stipulation”), and all capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Stipulation.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. **Jurisdiction**—The Court has jurisdiction to enter this Order and over the subject matter of the Action, as well as personal jurisdiction over all of the Parties and each of the Settlement Class Members.

2. **Notice**—Pursuant to and in compliance with Rule 23 of the Federal Rules of Civil Procedure, this Court hereby finds and concludes that due and adequate notice was directed to Settlement Class Members who could be identified with reasonable effort, advising them of the Plan of Allocation and of their right to object thereto, and a full and fair opportunity was accorded to Settlement Class Members to be heard with respect to the Plan of Allocation.

3. An aggregate of 21,240 copies of the Notice were mailed to potential Settlement Class Members and nominees, and there are no objections to the Plan of Allocation.

4. **Approval of Plan of Allocation**—The Court hereby finds and concludes that the formula for the calculation of the claims of Claimants as set forth in the Plan of Allocation mailed to Settlement Class Members provides a fair and reasonable basis upon which to allocate the proceeds of the Net Settlement Fund among Settlement Class Members with due consideration having been given to administrative convenience and necessity.

5. The Court hereby finds and concludes that the Plan of Allocation is, in all respects, fair and reasonable to the Settlement Class. Accordingly, the Court hereby approves the Plan of Allocation proposed by Lead Plaintiff.

6. **No Impact on Judgment**—Any appeal or any challenge affecting this Court’s approval regarding any plan of allocation of the Net Settlement Fund shall in no way disturb or affect

1 the finality of the Judgment.

2 7. **Retention of Jurisdiction**—Exclusive jurisdiction is hereby retained over the Parties
3 and the Settlement Class Members for all matters relating to this Action, including the administration,
4 interpretation, effectuation, or enforcement of the Stipulation and this Order.

5 8. **Entry of Order**—There is no just reason for delay in the entry of this Order, and
6 immediate entry by the Clerk of the Court is expressly directed.

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8 SO ORDERED this 17th day of April, 2019.

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11 _____
12 The Honorable Susan Illston
13 United States District Judge
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